

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) 2:13-CR-333-KJD-(GWF)
)
JOHN HITCHCOCK,)
)
Defendant.)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on January 20, 2015, defendant JOHN HITCHCOCK pled guilty to Count One of a One-Count Criminal Indictment charging him with Receipt of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2) and (b). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 33; Plea Agreement, ECF No. 34.

This Court finds defendant JOHN HITCHCOCK agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 33; Plea Agreement, ECF No. 34.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment and the offenses to which defendant JOHN HITCHCOCK pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and (a)(3):

- 1 1. iBuy Power computer, serial number D286-1D6D-22AA07D93-7;
- 2 2. Xbox 360, serial number 016506380607;
- 3 3. Sony Playstation, serial number 448345206;
- 4 4. Nintendo Wii, serial number FW40018455;
- 5 5. Xbox 360 hard drive, serial number 804675-003;
- 6 6. Quantum hard drive;
- 7 7. Sandisk thumb drive;
- 8 8. Maxtor hard drive, serial number B1CMS59E;
- 9 9. Fifty-four (54) DVDs: and
- 10 10. any visual depiction or any book, magazine, periodical, film, videotape, or other
- 11 matter which contains any such visual depiction, which was produced, transported,
- 12 mailed, shipped, or received in violation of Title 18, United States Code, Section
- 13 2252A

14 (all of which constitutes “property”).

15 This Court finds the United States of America is now entitled to, and should, reduce the
16 aforementioned property to the possession of the United States of America.

17 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
18 United States of America should seize the aforementioned property.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
20 JOHN HITCHCOCK in the aforementioned property is forfeited and is vested in the United States of
21 America and shall be safely held by the United States of America until further order of the Court.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
23 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
24 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
25 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the

26 . . .

1 name and contact information for the government attorney to be served with the petition, pursuant to
 2 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
 4 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
 5 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
 6 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
 7 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
 8 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
 9 petition and the relief sought.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
 11 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
 12 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
 13 after the first day of the publication on the official internet government forfeiture site,
 14 www.forfeiture.gov.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
 16 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
 17 following address at the time of filing:

18 Michael A. Humphreys
 19 Assistant United States Attorney
 20 Daniel D. Hollingsworth
 21 Assistant United States Attorney
 22 Lloyd D. George United States Courthouse
 23 333 Las Vegas Boulevard South, Suite 5000
 24 Las Vegas, Nevada 89101.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
 26 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency

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1 following publication of notice of seizure and intent to administratively forfeit the above-described
2 property.

3 DATED this 23rd day of January, 2015.

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8 UNITED STATES DISTRICT JUDGE
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